makes it a crime to mishandle or inflict bodily injury of any sort is not looked upon as covering the case. The laws guaranteeing personal freedom and against the maltreatment of minors are looked to for protection against traffic in young girls.

Switzerland punishes with imprisonment the knowing impartation of venereal disease by a prostitute or an infected man.

The general attitude of regulation brings difficulties because regulation implies public consent and involves the government in the problem of "morals police." The attitude of American communities has been to refuse to make any recognition of the traffic. The Austrian plan of recognition amounts practically to unlimited freedom for prostitution with efforts to restrict harmful contagion as far as possible.

Gainful prostitution is forbidden by law in Switzerland. This law makes houses of prostitution impossible. In Germany, gainful prostitution is punished only when health is endangered. Traffic in young girls is looked upon as an international menace. Transportation is punished by two years' imprisonment in Switzerland; in Austria, with from four weeks to three years' imprisonment. The German plan calls for imprisonment from three months to five years.

Practically the same situation confronts reformers in Europe as in America. Legal ostracism of prostitution is not a complete victory. The issue depends upon social morality everywhere.

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Compensation by the Criminal for Injury Inflicted.—(Prof. Dr. Earnst Hafter, Zurich, in *Schweizerische Zeitsch. für Strafr.*, 24th year, No. 4.)

The growing tendency to recognize the rights of the injured person to compensation has registered itself in laws in several European countries. Professor Hafter discusses and criticizes such legislation and the principles involved.

The question of releasing the culprit without further punishment upon the payment of compensation to the injured party turns on the effect of such an action on the public safety. Quite frequently justice is only partly obtained when the injured party has been compensated. Social protection may demand the restraint of the offender from repeating the damaging action. The principle of awarding half the fine to the injured party is a return to primitive German custom as well as Roman. Where property is confiscated for payment of fines the right of the injured should still be recognized.

In case of labor, either in confinement or at liberty, a stated portion of the proceeds of the labor should go to the injured. The principal difficulty arising from such an arrangement lies in the fact that the returns from the labor of many criminals little more than pays the state for the cost of their support. Consequently the amount available for the injured party would frequently be insignificant. For an extended discussion of this whole subject, see my own "Responsibility for Crime," Chapter IX, on Justice and Restitution.

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Usury Laws.—The Appellate Division of the Supreme Court in the Second Department, New York, has taken a position construing the usury laws of the state of New York as applied to a device by a loan concern for evading the operation of those laws. The case was *Myrtle M. Thompson v. the Erie R. R. Co.* An employe of the company applied to the Chester Kirk Company of New York for a loan of $37.00 and received a blank to be signed by him,

which turned out to be a power of attorney in which he constituted one Stella Blanding his attorney, to make notes, assignments of wages and any other instrument to repay the loan. This power to be exercised in the state of Maine. When the note was not paid at maturity, the attorney made an assignment of the employe's wages due from the Erie Railroad Company in the sum of $90.00. A copy of the assignment was sent to the railroad company, with a statement that if $60.50 were paid under it before the claim was put in the hands of an attorney the assignment would be withdrawn. Suit was then brought against the railroad company to collect the $60.50. The Appellate Division of the First Department held the assignment void and dismissed the suit on the ground that the law required that notice be served on the employer within three days after the borrower made his note and assigned his wages, and not within three days after the assigned wages were collectable. R. H. G.

A Grave Defect.—The following is from *Case and Comment* for January, 1912: "In the new English Court of Criminal Appeal the first capital case was recently passed upon, says the New York *Evening Post,* and it revealed a serious defect in the law creating the court, novel in British judicial procedure. A convicted murderer appealed on the ground that the jury in the court below had been improperly directed as to certain corroborative evidence. The judges on appeal found the plea to be well taken. Without asserting the innocence of the accused man—indeed, it is evident that they believe him guilty—the judges declare that they cannot be certain that the jury would have convicted him if it had not been misinformed as to the nature of part of the evidence against him. Hence the verdict was quashed; but now comes the surprising thing—the Court of Criminal Appeal is not able, under the law, to order a new trial! Over this lack of power Justice Darling expressed sincere regret, saying that the court felt that the case was one in which it was eminently desirable that 'all the facts should again be submitted to a jury with an adequate and proper direction.' Unhappily, the statute did not confer authority to order a new trial in criminal cases, though it did in civil. Justice Darling significantly added that he hoped that what the court said on this point would be 'considered by those who had power to amend the law in this respect.' One would think so! The right of criminal appeal was established in England as a safeguard against possible injustice to the innocent; it could never have been intended to permit a man charged with atrocious crime to escape by means of a loophole in the law. To close it will certainly be the immediate duty of Parliament." R. H. G.

Free Legal Aid Bureaus.—The following is from *Case and Comment* for January, 1912:

"The value of the free legal aid bureau," says the Kansas City *Journal,* "has been demonstrated on many occasions, but rarely more conspicuously than when it took up the cause of a number of waitresses whose valid claim against a defunct concern would in all probability have been overlooked had they not been represented by counsel. In the nature of things, working girls, whose claims averaged only a few dollars each, could not employ attorneys to look out for their small interests, but the very fact that they were working girls made even the most modest of claims matters of importance to them.

"The moral effect upon the unscrupulous of the knowledge that there